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JS-6

5 Attorneys for Plaintiffs

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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

10 BOARD OF TRUSTEES OF THE
11 SHEET METAL WORKERS'
12 PENSION PLAN OF SOUTHERN
13 CALIFORNIA, ARIZONA AND
14 NEVADA; BOARD OF TRUSTEES
15 OF THE SHEET METAL WORKERS'
16 HEALTH PLAN OF SOUTHERN
17 CALIFORNIA, ARIZONA AND
18 NEVADA; BOARD OF TRUSTEES
19 OF THE SOUTHERN CALIFORNIA
20 SHEET METAL JOINT
21 APPRENTICESHIP AND TRAINING
22 COMMITTEE; BOARD OF
23 TRUSTEES OF THE SHEET METAL
24 WORKERS' LOCAL 105 RETIREE
25 HEALTH PLAN; BOARD OF
26 TRUSTEES OF THE SOUTHERN
27 CALIFORNIA SHEET METAL
28 WORKERS' 401(A) PLAN; BOARD
OF TRUSTEES OF THE SHEET
METAL WORKERS'
INTERNATIONAL ASSOCIATION,
LOCAL UNION NO. 105 UNION
DUES CHECK-OFF FUND; AND
BOARD OF TRUSTEES OF THE
SHEET METAL INDUSTRY FUND OF
LOS ANGELES , Plaintiffs,

Case No. CV 11-01398 PSG(AJWx)

~~[PROPOSED]~~ ORDER ON
STIPULATION FOR JUDGMENT

v.

25 WESTLAND HEATING & AIR
26 CONDITIONING, INC.; KIM HELTON;
and TRAVIS ARTHUR LEE, as
individuals,

27 Defendants.

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1 Pursuant to the Stipulation by and between Plaintiffs Board of Trustees of the
2 Sheet Metal Workers' Pension Plan of Southern California, Arizona and Nevada
3 ("Pension Plan"); Board of Trustees of the Sheet Metal Workers' Health Plan of
4 Southern California, Arizona and Nevada ("Health Plan"); Board of Trustees of the
5 Southern California Sheet Metal Joint Apprenticeship and Training Committee
6 ("JATC"); Board of Trustees of the Sheet Metal Workers' Local 105 Retiree Health
7 Plan ("Retirees Plan"); Board of Trustees of the Southern California Sheet Metal
8 Workers' 401(a) Plan ("401(a) Plan"); Board of Trustees of the Sheet Metal Workers'
9 International Association, Local Union No. 105 Union Dues Check-off Fund ("Dues
10 Fund"); and Board of Trustees of the Sheet Metal Industry Fund of Los Angeles
11 ("Industry Fund") (collectively the "Plans" or "Trust Funds"), and defendants
12 WESTLAND HEATING & AIR CONDITIONING, INC.(the "Company"); KIM
13 HELTON; and TRAVIS ARTHUR LEE, ("Individual Defendants"), the Court has
14 considered the matter fully and concluded that good cause exists to approve the parties'
15 Stipulation in its entirety.

16 Accordingly, **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** as follows:

17 1. WESTLAND HEATING & AIR CONDITIONING, INC. and KIM HELTON
18 and TRAVIS ARTHUR LEE are indebted to the Plans jointly and severally in the total
19 amount of \$64,702.77, broken down as follows: contributions in the amount of
20 \$44,002.13 for the delinquent work months of November 2010 and December 2010; the
21 accrued liquidated damages in the amount of \$8,800.43 for the work months of
22 November 2010 and December 2010; interest in the amount of \$4,400.21; and
23 attorney's fees in the amount of \$7,500.00.

24 2. Judgment is entered in favor of the Plans and against WESTLAND
25 HEATING & AIR CONDITIONING, INC. and KIM HELTON and TRAVIS ARTHUR
26 LEE jointly and severally, in the amount of \$64,702.77 for delinquent employee benefit plan
27 contributions, liquidated damages, interest, attorney fees and costs, together with post-
28 judgment interest thereon at the rate of 10% per annum as of the date of the Judgment.

1 3. This Court retains jurisdiction over this matter through May 2012 to enforce
2 the terms of any judgment entered hereunder, to order appropriate injunctive and equitable
3 relief, to make appropriate orders of contempt, and to increase the amount of judgment
4 based upon additional sums owed to the Plans by defendants.

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6 **IT IS SO ORDERED.**

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9 Dated: 02/18/11

10 **PHILIP S. GUTIERREZ**
11 ~~Hon. Dale S. Fischer~~

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